

Department: Los Angeles Police Department
Case Name/Number: Garvin, Raymond v. City[BC 694158]
Handling Attorney: Marianne Fratianne
RMAT Category:



Corrective Action Report

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

This form has been developed by the City Attorney's Office to assist City departments in writing a Corrective Action Report ("CAR") for issues resulting in litigation. The CAR should describe the current understanding of the most likely root cause(s). This CAR will accompany documents submitted by the City Attorney's Office to the City Council and Claims Board. If there are any questions related to the confidentiality of this form, please consult the City Attorney's Office.

Date of incident/event:	05/06/2016
Briefly provide a description of the incident/event/condition:	Plaintiff alleges, via his sole 1102.5 whistleblower claim, that he was retaliated against after reporting supervisor's preferential treatment of subordinate employee and a separate act of misconduct by another subordinate. After concerted, unsubstantiated complaints were lodged against Plaintiff, Plaintiff was removed as the Lt. II+II (OIC) of the LAPD's Bomb Detection Canine Unit, stripped of his supervisory duties and subsequently downgraded to Lt. I. Plaintiff was never reinstated as a Lt. II and never awarded his back pay despite the fact that the complaints against him were deemed fabricated and not sustained

1. **Briefly describe the most likely root cause(s) leading to the of the incident or occurrence:**

Note: the root cause may be related to non-City activity or be unrelated to department operations.

Plaintiff was removed from his coveted Lt. II + II after stale, never-before-reported complaints were made against him. Despite the fact that the Captain (who is alleged to have retaliated against Plaintiff) concluded in the LOT that the personnel complaints against Plaintiff were, in essence, completely fabricated by select officers, the Captain adjudicated some of the allegations "Not Resolved" and therefore Plaintiff did not get reinstated to his Lt. II designation, did not get his coveted position back (and all of the attendant benefits) and did not receive back-pay.

Legal Advice Regarding Corrective Action (or other notes)

Risk Management Strategy
(multiple boxes may be selected)

<p>To the extent that the Chain of Command specifically and explicitly finds that allegations contained within a personnel complaint are decidedly fabricated and were lodged solely in a retaliatory attempt to remove a supervisor from command, consideration as to whether the allegations should be deemed "Unfounded" vs. "Not Resolved" should be given due consideration given the difference between the two and the ultimate effect of a "Not Resolved" finding.</p>	<p>A <input type="checkbox"/> Requires significant risk mitigation or significant infrastructure repair</p> <p>B <input type="checkbox"/> Involves reoccurring event, condition or location</p> <p>C <input checked="" type="checkbox"/> Requires change to the relevant department's policies, procedures, or practices</p> <p>D <input type="checkbox"/> Requires coordination between multiple city departments, bureaus, or offices</p> <p>E <input type="checkbox"/> Requires routine risk mitigation</p>
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3. **TO BE COMPLETED BY DEPARTMENT IN CONSULTATION WITH GENERAL COUNSEL:**

Describe any corrective action(s) to be taken, scheduled date and responsible party:

Corrective Action(s) to be taken	Operational Issue	Scheduled Start Date	Scheduled Completion Date	Responsible Person(s)
	<input type="checkbox"/> Process/Procedure <input type="checkbox"/> Equipment/Infrastructure <input type="checkbox"/> Workforce/Training <input type="checkbox"/> Other			
	<input type="checkbox"/> Process/Procedure <input type="checkbox"/> Equipment/Infrastructure <input type="checkbox"/> Workforce/Training <input type="checkbox"/> Other			

4. **Review and Authorization**

The City department has reviewed the incident, event or condition, has determined that the root cause can be corrected, and will take appropriate corrective actions.

Review and authorization steps:	Signature:	Date:
Reviewed by department Risk Manager	_____	

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Reviewed by department General Counsel		
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5. Verification of Completion

The City department has completed all corrective action(s).

Verification of Completion:	Signature:	Date:
Verification of completion by department Risk Manager, Assistant General Manager, or General Manager		